

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

ANTONIO MUNOZ GONZALES,	§ § §
Petitioner,	§ § §
v.	§ EP-20-CV-185-KC § §
FNU LNU, Warden, West Texas Detention Facility,	§ § § §
Respondent.	§ §

ORDER

On this day, the Court considered the United States Attorney's Notice to the Court, ECF No. 7. On June 13, 2020, Petitioner filed a Petition in the United States District Court for the District of New Mexico, invoking his rights under the Fifth, Seventh, Eighth, and Fourteenth Amendments to the United States Constitution, and seeking release from custody. Pet. 1, ECF No. 1. Petitioner alleged that he had been detained for over two years without a trial, despite seeking "a faster resolution of [his] case." *Id.* The United States District Court for the District of New Mexico construed Petitioner's submission as a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241. June 19, 2020, Order (Ritter, J.) 1, ECF No. 2. Accordingly, and because it appeared that Petitioner was detained at the West Texas Detention Facility in Sierra Blanca, Texas, this matter was transferred to this Court on June 30, 2020. *Id.* at 1 –2 (citing *Rumsfeld v. Padilla*, 452 U.S. 426, 442–43 (2004)); June 30, 2020, Electronic Transfer, ECF No. 4.

On June 26, 2020, the June 19, 2020, Order, was returned as undeliverable, indicating that Petitioner may have been released from the custody of the West Texas Detention Facility.

Mail Returned as Undeliverable, ECF No. 3. Additionally, the United States Bureau of Prisons' ("BOP") Inmate Locator Tool showed Petitioner as no longer detained in BOP custody.

Accordingly, on July 1, 2020, the Court ordered the United States Attorney to file notice with the Court, indicating whether Petitioner remained in the Government's custody. Order, ECF No. 5. The July 1, 2020, Order was again returned as undeliverable to Petitioner at the West Texas Detention Facility, with a note on the envelope reading "Inmate no longer at facility." Mail Returned as Undeliverable, ECF No. 6.

On July 14, 2020, the United States Attorney filed the instant Notice, explaining that Petitioner was transferred from the custody of the United States Marshalls to the custody of Immigrations and Customs Enforcement on June 17, 2020. Notice ¶ 4. The United States Attorney further explains that Petitioner was subsequently removed to Mexico on July 9, 2020. *Id.*; *see also* Form I-205 (bearing Petitioner's signature and showing that Petitioner was removed from the United States on July 9, 2020), ECF No. 7-1.

Because Petitioner is no longer in the Government's custody, this matter is hereby **DISMISSED** as moot. *See Belasco v. Warden, Fed. Corr. Inst. Big Spring*, 156 F. App'x 671, 671 (5th Cir. 2005).

The Clerk shall close the case.

SO ORDERED.

SIGNED this 15th day of July, 2020.



KATHARINE CARDONE
UNITED STATES DISTRICT JUDGE